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OF RACIAL DISCRIMINATION

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Twelfth periodic reports of States parties due in 1999

Addendum

QATAR*

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Introduction

1. The State of Qatar endorses the purposes and principles of the United Nations as set forth in international instruments, particularly those concerning non-discrimination on grounds of sex, race or religion. This was reaffirmed through its accession, on 24 July 1976, to the International Convention on the Elimination of All Forms of Racial Discrimination, which it ratified on 21 August 1976, and also through its accession to the International Convention on the Suppression and Punishment of the Crime of Apartheid on 18 July 1976.

2. The Provisional Constitution of the State of Qatar embodies the principle that all persons are equal before the law, without distinction as to race, sex or colour, in keeping with the precepts of Islam, the religion of the State, under which all persons are equal, without distinction between Arab and non-Arab or between Black and White.

3. The State of Qatar has emphasized these principles in its domestic legislation, which stipulates that there is no crime or punishment except as defined by law and that any person who is the victim of an act of racial discrimination can resort to the civil and sharia courts which apply the national laws under which such acts are punishable.

4. In this report, we will review the measures that the State of Qatar has taken to implement the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination.

I. MEASURES TAKEN TO IMPLEMENT THE PROVISIONS OF THE CONVENTION

A. Article 2

5. Under this article, each State party undertakes not to engage in, or encourage, any act or practice of racial discrimination against persons, groups of persons or institutions; to promulgate, whenever necessary, the legislation required to punish such acts; and to take the necessary measures to eliminate barriers between races and ensure the adequate protection of racial groups or individuals belonging to them in order to guarantee their full enjoyment of human rights and fundamental freedoms. In this connection, the following should be noted.

6. Neither the State of Qatar nor any public or private agency, body or institution belonging thereto engages in any act of racial discrimination or racial segregation against any person or group of persons, regardless of their colour, sex or religion or whether they are nationals or foreigners.

7. No person, organization or institution in the State of Qatar practices any act of racial discrimination. The State does not sponsor, defend or support such acts, of which it disapproves since they are totally incompatible not only with its Constitution, particularly articles 1, 7 and 9 thereof, but also with the provisions of the magnanimous Islamic sharia.

8. The State of Qatar has no laws or regulations that permit or perpetuate the practice of any act of racial discrimination.

9. The State has not promulgated any special legislation designating acts of racial discrimination or segregation by any individual, group or organization as punishable criminal offences, since such acts are totally prohibited by articles 1, 7 and 9 of the Provisional Constitution and also by the magnanimous Islamic sharia. Moreover, the State has acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

10. There are no integrationist multiracial organizations or movements in the State of Qatar, nor is there any type or form of barrier between races, other than the natural language barrier, in spite of the large number of differing nationalities of the foreign resident population.

11. There are no backward racial groups that require the adoption of provisional measures to enable them to enjoy their human rights and fundamental freedoms in economic, social, cultural, political and other fields.

12. For the above-mentioned reasons, the State of Qatar has not taken any legislative, administrative or judicial measures to implement any of the provisions of this article.

B. Article 3

13. Under the terms of this article, States parties condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

14. The State of Qatar has not taken any measures to implement the provisions of this article or ensure compliance therewith in view of the total absence, throughout the State, of offences of racial discrimination or segregation that would warrant the adoption of measures to prevent, prohibit or eradicate them.

C. Article 4

15. Under the terms of this article, States parties undertake to prevent, prohibit and condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin or which attempt to justify or promote racial hatred and discrimination in any form, and also undertake to declare illegal, and punish, such propaganda or organizations.

16. The State of Qatar has not taken any legislative or administrative measures to implement the provisions of this article. The reasons for this are as follows:

(a) In the State of Qatar, no person, group of persons or institution etc. engages in any propaganda for, or acts of incitement to, racial discrimination or racial hatred in any form;

(b) No person, group of persons or governmental or non-governmental institution, body or agency in the State of Qatar incites, promotes, finances, propagates, disseminates or participates in the propagation or dissemination of any ideas based on alleged racial superiority

or racial hatred. Likewise, there are no acts of violence or incitement to such acts against any individual, group or institution of any race, sex, colour or ethnic origin since, by the grace of God, Qatari society is in no way afflicted with any of these offences;

(c) In the State of Qatar, there are no organizations or organized or other propaganda activities that support, incite, advocate, finance or in any way assist in racial discrimination. Consequently, the State has not taken any measures to prohibit the establishment of such organizations or to designate membership thereof a punishable criminal offence;

(d) The public authorities and institutions do not practise, support, promote or incite any act of racial discrimination;

(e) The State of Qatar considers the provisions of the Amended Provisional Constitution, particularly articles 1, 5 and 7 thereof, and the provisions of the Islamic sharia and the Penal Code (Act No. 14 of 1971) as sufficient in this regard, especially in view of the fact that acts of racial discrimination are designated as criminal offences in the articles of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, both of which became legally binding instruments in the State of Qatar following its ratification thereof. In fact, application can be made to the secular courts for compensation in respect of any violation of their provisions, which the sharia courts can also punish with one of the legally stipulated penalties for damage ranging from imprisonment to capital punishment in the light of the circumstances, magnitude and seriousness of the offence committed.

D. Article 5

17. This article affirms the need to guarantee the right of everyone to enjoy civil, political and economic rights, particularly the right to security of person, the right to vote and to stand as a candidate in elections to parliamentary bodies, the right to equal treatment before the tribunals, the right to freedom of movement and residence, the right to leave any country, the right to nationality, the right to marriage and choice of spouse, the right to freedom of opinion and expression, the right to work, the right to form trade unions, the right to appropriate housing, the right to public health, medical care and social security services, the right to education and training and the right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafés, theatres and parks. We will review each of these rights separately.

1. The right to equal treatment before the tribunals and all other organs administering justice

18. The judicial bodies in the State of Qatar apply the principles of the Islamic sharia, under which all persons are equal before the law without discrimination on grounds of sex, race, colour, origin or religion. Litigants are treated in accordance with this principle, which is derived from the Holy Koran, the Sunna of the Prophet and the practice of the Orthodox Caliphs.

19. In His Holy Book, Almighty God says: "Believers! Conduct yourselves with justice and bear true witness before God, even though it be against yourselves, your parents or your kinsfolk. Whether the man concerned be rich or poor, know that God is nearer to him than you are. Do not be led by passion, lest you swerve from the truth. If you distort your testimony or decline to give it, know that God is cognizant of all your actions" (verse 135 of the chapter entitled "Women") and "Believers! Fulfil your duties to God and bear true witness. Do not allow your hatred of other men to turn you away from justice. Deal justly, justice is nearer to true piety. Fear God; He is cognizant of all your actions" (verse 8 of the chapter entitled "The Table"). The Prophet (God bless him and grant him salvation) explained the importance and significance of equality before the law by saying: "Your predecessors earned eternal damnation because they pardoned thieves of noble birth and punished those of lowly birth. By God, if my daughter Fatima were to steal, I would cut off her hand" (from Bukhari's Mukhtasar). On his assumption of the caliphate, Abu Bakr adopted the same approach: "As far as I am concerned, those among you who are weak are the most powerful insofar as I have an obligation to enforce their rights and those who are powerful are the weakest insofar as I am obliged to take what is due from them". Likewise, in his famous letter to his judge Abu Musa al-Ash'ari, the Caliph Umar wrote: "The administration of justice is an obligatory religious duty in which usages sanctioned by tradition must be followed. When this duty is assigned to you, you must be discerning and render justice in the light of your findings, since an unenforced right is of no avail. Treat people equally in your hearings and in your attitude towards them so that those of noble birth will not expect you to be biased in their favour and those of lowly birth will not despair of your fairness."

20. With regard to equality under the uniform legislation applied, the sharia courts are bound by God's law, under which all persons are treated equally. All are equal before the law and the judiciary; there is no social class enjoying special privileges that are denied to other classes, no particular category being exempt from the provisions of the law, since the Islamic sharia does not permit any form of distinction or discrimination, on any grounds whatsoever, between people in regard to the application of God's law.

21. Within the context of equal treatment of litigants, the sharia courts are guided by the Prophet (God bless him and grant him salvation), who explained the way to achieve equality between adversaries in court hearings by saying: "When two adversaries appear before you, do not pass judgement until you have heard the statements of both. This is more conducive to a sound judgement."

22. The sharia courts follow the Islamic system of judicial procedure, as defined in an ordinance promulgated by the President of the sharia Courts in 1993 which regulates court procedures concerning the summoning of adversaries, the hearing of their statements, the examination of their pleas, their right to appeal against judgements and their enjoyment of all the judicial safeguards, as well as the privileges that are unparalleled in other contemporary judicial systems, such as the exemption from court fees which applies to all, without discrimination between nationals and foreigners, in keeping with the provisions of the Islamic sharia concerning equality before the law.

23. All these principles are enshrined in the articles of the Provisional Constitution of the State of Qatar (known as the Amended Provisional Basic Law), article 1 of which stipulates that: "Qatar is an independent sovereign State. Its religion is Islam and the Islamic sharia is the principal source of its legislation." Article 9 further stipulates that: "All persons are equal in regard to their public rights and obligations, without distinction as to race, sex or religion."

24. The judicial safeguards, which are indispensable in order to instil trust and confidence in the minds of litigants, include the independence of the judiciary from the executive authority and the independence of judges in their administration of justice, without being influenced by external considerations or pressures. These principles are expressed in article 65 of the Constitution, which reads as follows: "The impartiality of judges is a fundamental principle of government in the State. Judges shall be independent in the discharge of their functions and no one shall be permitted to interfere with the course of justice."

25. The general legal and constitutional principles concerning the independence of judges, equality before the law and judicial impartiality and safeguards were recently reaffirmed through the promulgation of the Judicial Authority Act No. 10 of 1990.

2. The right to security of person and protection by the State against violence or bodily harm

26. The State has undertaken to protect its nationals and any other persons residing in its territory, without any form of discrimination on grounds of race, colour or ethnic origin, etc. This task has been assigned to the Ministry of the Interior, since the police are responsible for ensuring public order and security and protecting the lives, property and honour of all, without discrimination, as stipulated in article 6 of Act No. 5 of 1970 specifying the powers and functions of ministries and other governmental agencies, as amended, and in article 5 of Act No. 3 of 1993 concerning the police force, as amended.

27. The State has also undertaken to protect everyone against violence or bodily harm, whether inflicted by government officials or by any individual, group or institution. Protection against the offences of abuse of authority, assault and battery, abortion, endangerment of young persons, concealment of births and abduction of newborn children is guaranteed in articles 112, 113 and 160-177 of the Penal Code promulgated in Act No. 14 of 1971, as amended.

3. Political rights, including the right to vote and to stand as a candidate in elections, the right to take part in the conduct of public affairs and the right of access to public service

28. All nationals of Qatar enjoy the right to vote and to stand as a candidate in elections on the basis of universal and equal suffrage, without any discrimination between them on grounds of colour, sex or ethnic origin, in accordance with article 1 of Decree No. 17 of 1998 regulating the election of members of the Central Municipal Council which stipulates that: "The right to elect members of the Central Municipal Council shall be enjoyed by all male and female Qataris who meet the following conditions: They must be Qatari nationals by birth or must have held Qatari nationality for not less than 15 years."

29. The system applied in the State of Qatar is based on full equality between men and women in regard to their rights and obligations vis-à-vis the Government and governmental institutions, in accordance with the provisions of the Islamic sharia. However, naturalized citizens of Qatar do not enjoy the same rights as Qataris in regard to access to public office or other types of employment until 5 years after the date of their naturalization, and they are not entitled to exercise the right to vote or stand as a candidate for election or appointment to membership of any parliamentary body until 10 years after the date of their naturalization. The children of naturalized citizens are regarded as Qataris by birth and enjoy all political and other rights on an equal footing with other Qatari nationals.

30. In affirmation of the above, the State of Qatar has embarked on a democratic experiment to develop popular participation in decision-making and the assumption of responsibility for consolidating the institutional structure of a constitutional State in which divergent views would be respected, provided that their aim was to further the higher interests of the country. Accordingly, H.H. the Amir promulgated a decree establishing a committee to draft a permanent constitution for the country which would call for the formation of a Legislative Council elected by direct universal suffrage. This will constitute an important step towards the consecration of popular participation as a basis of government and will strengthen the institutional structure of the constitutional State.

31. With regard to access to public office, the Civil Service Act regulates the procedures therefor. None of the provisions of the Act entail any form of discrimination, since the conditions that they lay down for access to public office are of a general nature and applicable to all; for example, under the terms of article 6 of the Act, candidates must be Qatari nationals of good conduct and reputation, must hold the qualifications needed to occupy the post and must be over 17 years of age.

32. In this connection, it should be noted that the State of Qatar has acceded to International Labour Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation, which has the force of law.

4. Enjoyment of other rights

33. The right to freedom of movement and residence within the border of the State is guaranteed to all Qataris without discrimination. In the case of non-Qataris, the right to freedom of movement and residence within the border of the State is guaranteed to everyone who enters the country legally in accordance with the provisions of the Entry and Residence of Foreigners Regulatory Act No. 3 of 1963, as amended, under which foreigners are required to hold a residence permit, valid for a period ranging from one to three years and renewable without any limit on the number of renewals, which must be stamped in their passport.

34. The right to leave the State and travel abroad is guaranteed to all Qataris, without any discrimination, subject to some administrative regulatory procedures applicable to children under 18 years of age, who can travel only with the permission of their parents or guardians, and to women under 30 years of age.

35. Foreigners are permitted to travel to their own or any other country at any time after submitting an exit guaranty. If a foreigner is unable to obtain an exit guaranty due to his sponsor's unjustified refusal to issue it or due to his sponsor's death or absence without appointing an authorized representative, the foreigner is permitted to leave on presentation of a certificate from the sharia and secular courts, confirming that there are no enforceable judgements or claims against him, which can be issued two weeks after publication of his date of departure. In accordance with the provisions of article 1 of Act No. 3 of 1984 regulating sponsorship of the residence and departure of foreigners, these legally stipulated procedures, the aim of which is to safeguard the rights of all and enable every creditor to enforce his rights in the legally prescribed manner, do not apply to non-working women, minors and visitors who have not resided in Qatar for more that 30 days.

36. The right to nationality is guaranteed to every Qatari. Under the provisions of articles 1 and 2 of the Qatari Nationality Act No. 2 of 1961, as amended, nationality is granted to indigenous Qataris who settled in the country before 1930 and also to their children born in Qatar or abroad. Qatari nationality may be granted by naturalization to foreigners who meet the conditions laid down in articles 3, 4, 5, 9 and 12 of the above-mentioned Nationality Act.

37. All nationals, without any discrimination, have a right to marry fellow citizens or nationals of States of the Gulf Cooperation Council in accordance with the provisions and principles of the Islamic sharia. Marriage between nationals and foreigners is regulated by the Marriage with Foreigners Regulatory Act of 1969, as amended, under which prior approval must be obtained from the Minister of the Interior for them to marry in accordance with the religious law, or for recognition of a marriage that took place before the entry into force of the Act, in order to safeguard the public interest in view of the consequences of such marriages. Foreigners residing in the State are not subject to any restrictions concerning marriage, in accordance with their religious laws and customs, to which they all have a guaranteed right.

38. The right to own property alone as well as in association with others is enjoyed by all residents within the limits of the provisions of the Islamic sharia and of multilateral and bilateral international agreements and the positive laws regulating joint participation by foreign and Qatari capital in domestic trade, import and export activities, contracting, industry, agriculture and ownership of real estate.

39. It is noteworthy that, as a general rule, foreigners are not permitted to own real estate in Qatar for any reason whatsoever, except within the limits and in accordance with the circumstances, restrictions and conditions specified in Act No. 5 of 1963 concerning prohibition of the acquisition by foreigners of ownership of fixed assets in Qatar and Act No. 1 of 1981 regulating the ownership by foreign missions of real estate within the limits of the city of Doha, under which they are permitted to acquire an area of not more than 4,500 m^2 provided that it is used as premises for a diplomatic or consular mission or as the residence of the head of the mission, subject to reciprocal treatment.

40. Islam regards inheritance as a firmly established right since it is a manifestation of social solidarity, of mutual affection between family members and of the achievement of social justice through the distribution and division of wealth among a number of the decedent's relatives. The Islamic system of succession is incomparable in its fairness. However, the right to inherit is

subject to certain conditions. In order to inherit from the decedent, the heir must be alive and there must be no impediment to the exercise of his right. For example, the heir must not have killed the decedent, since the Prophet (God bless him and grant him salvation) said: "The killer does not inherit." Moreover, inheritance is precluded by differing religions since, according to an authenticated Hadith (saying of the Prophet): "Adherents of differing religions do not inherit from each other." Islam treats people fairly and calls upon its adherents to act with justice, even towards those who are not Muslims. In the case of non-Qataris, the decedent's national law is applied.

41. Islam guarantees freedom of thought, conscience and religion by recognizing every person's right to choose the faith which his mind and conscience deem best, without any compulsion, in accordance with the words of Almighty God: "There is no compulsion in religion. True guidance is now distinct from error" (verse 256 of the chapter entitled "The Cow"). Almighty God made the Prophet's mission clear by addressing him as follows: "Therefore, give warning! Your duty is only to warn them." In the Holy Koran, Almighty God explains the way in which people should be invited to embrace the Islamic faith: "Call men to the path of your Lord with wisdom and kindly exhortation. Reason with them in the most courteous manner. Your Lord best knows those who stray from His path and those who are rightly guided" (verse 125 of the chapter entitled "The Bee").

42. Islam undertakes to protect the adherents of other faiths living in Islamic territory: "God does not forbid you to be kind and equitable to those who have neither made war on your religion nor driven you from your homes. God loves the equitable" (verse 8 from the chapter entitled "She who is tested"). Members of religious minorities have the right to practise their religious observances within the limits of public order and in a manner that is not incompatible with Islamic observances.

43. Chapter 29 of the Penal Code of Qatar is devoted to offences against religion, in connection with which article 307 prescribes penalties for "anyone who, in any way, publicly insults a religion or endeavours to incite feelings of contempt therefore in a manner likely to prejudice security". This clearly shows that the State of Qatar respects all divinely revealed religions, without discriminating between Islam and other faiths. Freedom of religious observance is guaranteed in articles 306, 307, 308 and 309 of the Penal Code of Qatar, which protect this right and designate any infringement thereof as a punishable offence prejudicial to public order in the State.

44. All residents of Qatar enjoy the right to freedom of opinion and expression, which is guaranteed within the limits of the rule of law and order. The State of Qatar has adopted a sound approach by abolishing the Ministry of Information and lifting censorship of the press and publications. In the addresses that he delivers at the regular annual sessions of the Advisory Council and on various other occasions, H.H. the Amir consistently encourages the pursuit and consolidation of democracy. The lifting of censorship of newspapers and publications unquestionably constitutes a fundamental and important means of consolidating democracy and consecrating freedom of expression and diversity of opinion.

5. Economic, social and cultural rights

(a) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work and to just and favourable remuneration

45. Article 7 of the Amended Provisional Constitution stipulates that: "The State shall diligently endeavour to ensure equal opportunities for citizens and to enable them to exercise the right to work in accordance with laws that guarantee them social justice." Article 11 of the Labour Act made provision for the establishment, within the Labour Department, of one or more employment offices to help unemployed persons to find work and to help employed persons to find better jobs. Every unemployed or employed person seeking new employment can register at one of the employment offices and obtain, free of charge, a certificate confirming his registration.

46. In accordance with article 15 of the Labour Act, the contract of employment must specify, in particular, the date on which the employment begins, the type, place and conditions of employment and the amount of the remuneration. Article 16 of the Act stipulates that any clause in a contract of employment implying an undertaking by the employee to refrain for the rest of his life from practising any trade or profession in which he might engage after leaving his job, or to serve the employer for life, is null and void.

47. From the above, it is evident that the right to work is guaranteed to all, as is free choice of employment through freedom to conclude a contract of employment the conditions of which are consistent with international labour standards.

48. With regard to protection against unemployment, it should be noted that unemployment is virtually non-existent in the State, which is largely dependent on migrant labour from abroad working in the various sectors. Nevertheless, the State endeavours to provide appropriate employment opportunities for persons seeking work in the public and private sectors and the Employment Division of the Labour Department receives, registers and classifies job-seekers of both sexes whom it nominates for employment with companies and institutions in accordance with their preferences and qualifications.

49. With regard to equal pay for equal work, salaries and wages are determined in the light of the occupational post, without taking into consideration the identity of its occupant provided that he possesses the necessary qualifications and meets the specified requirements.

50. With regard to just and favourable remuneration, salaries and wages in the State are high in comparison with those in many other countries. In this connection, it is noteworthy that a Council of Ministers decision promulgated in 1997 encouraged Qataris to work in the private and mixed sectors and in banks and made provision for the continued payment of salaries in the event of incapacity for work, death or old age as is the case of persons working in the government sector.

(b) The right to form and join trade unions

51. Although this right is not regulated by law, the country has numerous associations of public benefit, as well as associations of an occupational nature, which operate in accordance with their statutes. With regard to companies and institutions, the Labour Act contains a special chapter entitled "Joint Committees, Disputes and Procedures", article 66 of which stipulates that consultative committees consisting of representatives of the employers and the employees may be formed in any institution with a view to the development of cooperation between management and staff. These committees are empowered to consider, and submit proposals on, matters relating to improvement of labour and employment standards in the institution, the regulation of work and productivity, conditions of service, the training of workers, and ways and means of protecting them and developing their general culture.

52. In this connection, the nature and distribution of the labour force should be borne in mind, since the vast majority of the labour force in the private sector consists of migrant workers of various nationalities employed on a temporary basis. National manpower, which constitutes only a small proportion of the total labour force in this sector, is distributed among a large number of institutions. In view of the general economic and social circumstances, the above-mentioned consultative committees are, at the present time, the most appropriate bodies which, in practice, discharge the same functions and serve the same purposes as trade unions.

(c) The right to housing

53. For a long time, the State has taken care to ensure the residential stability of its citizens by providing them with appropriate housing consistent with the size of their family and with their customs and traditions. Under the terms of the Popular Housing Act of 1964, which regulates the provision of low-cost housing for persons with limited income, the State grants plots of land, free of charge, to such persons. It also grants them interest-free loans to build houses, the beneficiaries being required to repay only 60 per cent of the value of these loans in monthly instalments spread over a period of 20-25 years. In addition, the competent State agencies provide the beneficiaries with a grant to furnish their houses and, in the event of their death or incapacity for work, they or their heirs are exempted from payment of the remaining instalments of the housing loan.

54. Under the same system, the State provides incapacitated and needy citizens with free housing, which it constructs, furnishes and maintains at its own cost.

55. We also wish to refer to the housing scheme for senior civil servants under which the State grants them plots of land free of charge, as well as interest-free loans, and the competent agencies provide them with free maps and construction plans.

(d) The right to public health, medical care, social security and social services

56. The State provides preventive health services free of charge for all citizens. With regard to social security, the Social Security Act of 1963 regulates the provision of monthly assistance

for needy categories of citizens. This Act, which has been amended to increase the amount of assistance to a level consistent with the changing socio-economic circumstances and the rising cost of living, covers the following categories of beneficiaries: widows, divorced women, needy families, disabled persons, orphans, persons incapacitated for work, the elderly, families of convicts, abandoned wives and families of missing persons.

57. Persons working in the governmental and private sectors are covered by the pension scheme under which their salaries continue to be paid in the event of incapacity for work, death or old age. Cases of sickness, maternity and occupational accidents, etc. are covered by the legislation pertaining thereto.

(c) The right to education and training

58. The education policy of the State of Qatar is to treat the children of its nationals, as well as the children of the numerous foreign communities living in its territory, in accordance with the State's policy towards the peoples of all countries of the world. The fundamental principles of this policy are based on the precepts of the magnanimous Islamic sharia, under which all human races, regardless of their colour or ethnic origin, are deemed to have equal rights and obligations. The measures that the State has taken in the field of education can be summarized as follows:

(a) The right to education is guaranteed to all citizens and foreign residents who meet the requirements and conditions of admission to the various levels (primary, preparatory, secondary, university and even postgraduate studies);

(b) Education is basically free of charge, its cost being met from the State budget with the exception of some minor fees which were recently imposed due to the difficult economic circumstances that the State has faced in the last few years. These fees, consisting of nominal amounts for educational services provided, are charged in respect of the children of foreign residents;

(c) The educational institutions in the State of Qatar are attended by large numbers of immigrant students, mainly from Asia and Africa, some of whom have been awarded scholarships while others have been allocated places under the quota system. Scholarship students reside in boarding facilities within the institution, where they are provided with accommodation, meals and various types of services, including physical recreation and entertainment;

(d) The State offers aid and assistance to any foreign community residing in its territory which wishes to open its own school to teach the academic curricula of its home country. There are many such schools in the State of Qatar, including Egyptian, Lebanese, Jordanian, Indian, Pakistani, Iranian and English schools, etc.

(f) The right to equal participation in cultural activities, the right to freedom of peaceful assembly and association and the right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafés, theatres and parks

59. In Qatar, all these rights are guaranteed, on an equal footing, to men and women, regardless of whether they are nationals, foreigners, immigrants, Muslims or non-Muslims, within the limits of the Islamic customs and traditions observed in the State.

E. Article 6

60. Under this article, States parties undertake to assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

61. The Islamic sharia was one of the first religious laws to establish and apply the principle of equality between persons in regard to their rights and obligations, without discrimination on grounds of origin, colour or sex, in accordance with the words of Almighty God: "People! We created you from male and female and divided you into peoples and tribes so that you may know each other. In the sight of God, the most noble of you is the most pious" (verse 13 of the chapter entitled "The Chambers") and the words of the Prophet (God bless him and grant him salvation) during his farewell address: "People! You have one God and one father. All of you are descended from Adam and Adam was created from dust. In the sight of God, the most noble of you is the most pious. There is no superiority between Arab and non-Arab except in terms of their piety."

62. There are five essential interests - religion, life, intellect, lineage and property - which Islam protects by punishing any violation thereof since these necessities, which are bestowed by God on man, are indispensable for a decent human existence. The fact that they are bestowed by God implies, inter alia, the need to safeguard dignity, avoid all types of abuse and prevent any violation of liberty, such as freedom to work, freedom of thought and freedom of residence, which are vital requirements if man is to live a free and active life in a model society in which no one's rights are violated.

63. The fixed penalties laid down in the Holy Koran, as well as the right to retaliation and blood money, are intended to protect the social entity and ensure equality among its members by preventing any disparity in the punishment of offenders. The penalties for lesser offences are left to the discretion of the judge.

64. Racially motivated violations of human life, dignity and freedoms are acts of disobedience to God which merit the fixed penalty, retaliation or discretionary punishment, depending on the circumstances, since human life, dignity and freedoms are among the interests protected by Islam, as explained above.

65. With regard to reparation for damage suffered as a result of racial discrimination, under the Islamic sharia the payment of reparation is a general principle derived from the Prophet's comprehensive dictum: "There shall be no infliction of damage or reciprocal damage." This covers reparation for material damage, as well as pain and suffering, resulting from any violation of human life, dignity or fundamental freedoms motivated by racial or any other form of discrimination.

F. Article 7

66. Under this article, States parties undertake to adopt measures, particularly in the fields of teaching, education, culture and information, to combat prejudices which lead to racial discrimination, to promote understanding, tolerance and friendship among nations and racial or ethnic groups, and to propagate the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

67. The academic curricula and textbooks in the State of Qatar embody the principles of tolerance and equality among all human beings, these principles being expressed in words or pictorially, particularly in Islamic education and Arabic-and English-language textbooks. Earnest endeavours are made to inculcate the principles of racial tolerance and non-discrimination in students from an early age and schools celebrate the International Day for the Elimination of Racism by organizing cultural and artistic competitions for students in coordination and collaboration with the cultural centres of the foreign communities residing in the State.

68. The press and information media in the State of Qatar take every opportunity to expose and deplore crimes of racial discrimination. Numerous programmes to commemorate international days are broadcast and published by radio, television, the press and other media. Furthermore, in many of his political statements, particularly those made before the Advisory Council, H.H. the Amir of the State personally condemns acts of racial discrimination and commends the principles which are advocated in the Charter and resolutions of the United Nations, the Universal Declaration of Human Rights and the resolutions of the Commission on Human Rights which call for measures to combat acts of racial discrimination. Such statements, printed in the form of pamphlets, are distributed to various bodies and brought to the attention of the public through the various information media.

II. CONCLUSION

69. From the above, it is evident that the Amended Provisional Constitution of the State of Qatar emphasizes the principle that all persons are equal in regard to their rights and obligations without discrimination on grounds of race, sex or religion, as explicitly stated in article 9 thereof.

70. Since the Islamic sharia, which condemns discrimination between persons with regard to their rights and obligations, is the principal source of legislation in the State, it would be inconceivable for the State to promulgate legislation permitting such discrimination. Moreover, article 5 of the Amended Provisional Constitution expresses the State's belief in the principles set forth in the Charter of the United Nations, in which the peoples of the United Nations reaffirm their faith in fundamental human rights and in the dignity of the human person.

71. Following the State of Qatar's accession to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid, these two instruments became part of the State's domestic law and, as such, must be applied by the secular courts in the event of any violation of their provisions since article 24 of the Amended Provisional Constitution stipulates that a treaty acquires the force of law following the State's accession thereto or ratification thereof.

72. A committee of experts and specialists has been formed to draft a permanent constitution for the country, since the State is diligently endeavouring to develop its laws and legislation. We are confident that the drafters of the basic provisions of the new constitution will attach due importance to this issue.

73. It has been proposed that the State should establish a national human rights committee, consisting of representatives of all the public and private social bodies concerned with this matter and working independently of the government authorities, the functions of which would be to educate public opinion, promote human rights awareness, study legislation, court judgements and administrative procedures from the standpoint of the protection of human rights, and prepare reports on these questions for submission to the competent authorities.